

Senate File 2190 - Introduced

SENATE FILE 2190

BY WHITVER

A BILL FOR

1 An Act limiting the number of rules that can be included in
2 the Iowa administrative code, providing for related duties
3 of the department of management and other agencies, and
4 including effective date provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 17A.24 Limitation of administrative
2 code — implementation and report.

3 1. On and after January 1, 2019, the total number of
4 rules included in the Iowa administrative code shall not
5 exceed the total number of rules that were included in the
6 Iowa administrative code as of July 1, 2018. On and after
7 January 1, 2022, the total number of rules included in the Iowa
8 administrative code shall not exceed sixty-six and two-thirds
9 percent of the total number of rules that were included in the
10 Iowa administrative code as of July 1, 2018. For purposes of
11 this section, "rule" means a rule as described in the preface
12 to the Iowa administrative bulletin and does not include an
13 entry designated in the Iowa administrative code as reserved
14 or rescinded.

15 2. The department of management, in consultation with
16 the administrative rules coordinator, the administrative
17 code editor, and the administrative rules review committee,
18 shall establish and implement a process across all agencies
19 to facilitate any rulemaking necessary to ensure ongoing
20 compliance with subsection 1. As part of the process, the
21 department may direct an agency to carry out such rulemaking
22 as the department determines to be necessary to comply
23 with subsection 1, after consultation with the agency.
24 The department shall ensure that such compliance is not
25 accomplished solely by combining rules or redesignating rules
26 as subrules or other subunits of the Iowa administrative code.
27 An agency shall comply with such a directive.

28 3. The department of management shall by January 5 of
29 each year submit a report to the general assembly and the
30 governor on the total number of rules included in the Iowa
31 administrative code. The legislative services agency shall
32 provide the department with information regarding the Iowa
33 administrative code as necessary to facilitate the drafting of
34 the report.

35 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate

1 importance, takes effect upon enactment.

2 EXPLANATION

3 The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

5 This bill provides that the total number of rules included
6 in the Iowa administrative code on and after January 1, 2019,
7 shall not exceed the total number of rules that were included
8 in the Iowa administrative code as of July 1, 2018. The bill
9 provides that the total number of rules included in the Iowa
10 administrative code on and after January 1, 2022, shall not
11 exceed 66 and 2/3 percent of the total number of rules that
12 were included in the Iowa administrative code as of July 1,
13 2018.

14 The bill requires the department of management, in
15 consultation with the administrative rules coordinator, the
16 administrative code editor, and the administrative rules
17 review committee, to establish and implement a process
18 across all agencies to facilitate any rulemaking necessary to
19 ensure ongoing compliance with the limitations on the Iowa
20 administrative code provided in the bill. The bill authorizes
21 the department to direct an agency to carry out such rulemaking
22 as the department determines to be necessary to comply with the
23 limitations after consultation with the agency and requires
24 that an agency comply with such a directive.

25 The bill requires the department to ensure that compliance
26 with a department directive is not accomplished solely by
27 combining rules or redesignating rules as subrules or other
28 subunits of the Iowa administrative code. The bill requires
29 the department of management to submit a report to the general
30 assembly and the governor on the total number of rules included
31 in the Iowa administrative code each year by January 5. The
32 bill requires the legislative services agency to provide the
33 department with information regarding the Iowa administrative
34 code as necessary to facilitate the drafting of the report.

35 The bill takes effect upon enactment.